

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION

In re: : BANKRUPTCY CASE
: :
JOHN CONNER and : NO. 11-40458-JTL
BETTY LOU CONNER, : Chapter 7 Proceeding
Debtors. : :

NOTICE OF TRUSTEE'S MOTION TO SELL PROPERTY OF THE ESTATE
SUBJECT TO ALL LIENS AND ANY OTHER CLAIM

WALTER W. KELLEY, CHAPTER 7 TRUSTEE, HAS FILED A MOTION IN THE ABOVE-STYLED CASE TO SELL REAL ESTATE AT PUBLIC AUCTION OUTSIDE THE ORDINARY COURSE OF BUSINESS PURSUANT TO 11 U.S.C. §363(b) and 11 U.S.C. §363(f), SUBJECT TO ALL LIENS, ENCUMBRANCES, MORTGAGES, SECURITY INTERESTS, CHARGES AND CLAIMS OF EVERY KIND AND DESCRIPTION, KNOWN AND UNKNOWN, WITH ALL VALID LIENS TO ATTACH TO THE PROCEEDS. The property to be sold is the Debtor's real property in Muscogee County, Georgia described as 1808 51st Street, Columbus, Georgia.

YOUR RIGHTS MAY BE AFFECTED. YOU SHOULD READ THESE PAPERS CAREFULLY AND DISCUSS THEM WITH YOUR ATTORNEY, IF YOU HAVE ONE IN THIS BANKRUPTCY CASE. (IF YOU DO NOT HAVE AN ATTORNEY, YOU MAY WISH TO CONSULT ONE.).

IF YOU DO NOT WANT THE COURT TO GRANT THE TRUSTEE'S MOTION, OR IF YOU WANT THE COURT TO CONSIDER YOUR VIEWS, THEN YOU OR YOUR ATTORNEY MUST FILE WITH THE COURT A WRITTEN REQUEST FOR A HEARING ON OR BEFORE November 2, 2011. IF ANY OBJECTIONS ARE FILED, THE HEARING WILL BE HELD ON November 18, 2011 AT 2:00 P. M. AT UNITED STATES BANKRUPTCY COURT, 901 FRONT AVENUE, ONE ARSENAL PLACE, COLUMBUS, GA 31902.

IF YOU MAIL YOUR REQUEST TO THE COURT FOR FILING, YOU MUST MAIL IT EARLY ENOUGH SO THE COURT WILL **RECEIVE** IT ON OR BEFORE THE DATE STATED ABOVE. THE REQUEST SHOULD BE MAILED TO THE UNITED STATES BANKRUPTCY COURT, P.O. BOX 2147, COLUMBUS, GEORGIA 31902.

ANY REQUEST FOR A HEARING MUST ALSO BE MAILED TO THE MOVING PARTY AND UPON ALL OTHER PERSONS INDICATED ON THE CERTIFICATE OF SERVICE ATTACHED TO THIS PLEADING.

IF YOU OR YOUR ATTORNEY DO NOT TAKE THESE STEPS, THE COURT MAY DECIDE THAT YOU DO NOT OPPOSE THE RELIEF SOUGHT IN THE MOTION OR OBJECTION AND MAY ENTER AN ORDER GRANTING THAT RELIEF.

THE 12th DAY OF October, 2011.



/s/ Thomas D. Lovett

Thomas D. Lovett
Attorney for Walter W. Kelley, Trustee
Post Office Box 1164
Valdosta, Georgia 31603
(229) 242-8838
State Bar No. 459571

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FOR THE MIDDLE DISTRICT OF GEORGIA
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In re: : BANKRUPTCY CASE
: NO. 11-40458-JTL
JOHN CONNER and : Chapter 7 Proceeding
BETTY LOU CONNER, :
Debtors. :
:

CERTIFICATE OF SERVICE

I hereby certify that I have furnished a true copy of the **MOTION BY WALTER W. KELLEY, TRUSTEE, TO SELL REAL ESTATE AT PUBLIC AUCTION OUTSIDE THE ORDINARY COURSE OF BUSINESS PURSUANT TO 11 U.S.C. §363(b) AND 11 U.S.C. §363(f), SUBJECT TO LIENS, ENCUMBRANCES, MORTGAGES, SECURITY INTERESTS, CHARGES AND CLAIMS OF EVERY KIND AND DESCRIPTION, KNOWN AND UNKNOWN, WITH ALL VALID LIENS TO ATTACH TO THE PROCEEDS and Notice** on the parties listed below by electronic mail or by depositing the same in the United States Mail, in a properly addressed envelope with sufficient postage thereto affixed to insure delivery.

JOHN CONNER and BETTY LOU CONNER
1808 51ST STREET
COLUMBUS, GA 31904

VALERIE G. LONG
ATTORNEY FOR DEBTORS
POST OFFICE BOX 8641
COLUMBUS, GA 31908-8641
lawofficenvlong@yahoo.com

ELIZABETH A. HARDY
ASST. U. S. TRUSTEE
Ustp.region21.mc.ecf@usdoj.gov

I hereby certify that I furnished a true copy of the Notice to the parties named in Exhibit "B" hereto attached by electronic mail or by depositing the same in the United States Mail in properly addressed envelopes with sufficient postage thereto affixed to insure delivery.

This, the 12th day of October, 2011.



/s/ Thomas D. Lovett

Thomas D. Lovett
Attorney for Walter W. Kelley, Trustee
Post Office Box 1164
Valdosta, Georgia 31603
(229) 242-8838
State Bar No. 459571

Accounts Receivable Mgmt, Inc.
P.O. Box 563
Thorofare, NJ 08086-0563

Alabama Power
1601 Broad Street
Phenix City, AL 36867-5014

ALABAMA POWER COMPANY
P.O. BOX 12545
BIRMINGHAM, AL 35202-6545

AMCA
2269 S Saw Mill
Elmsford, NY 10523-3832

American Enterprises
9319 N 107th Street
Milwaukee, WI 53224

Anesthesia Associates of Columbus
P.O. Box 2445
Columbus, GA 31902-2445

Applied Bank
P.O. Box 17125
Wilmington, DE 19850-7125

APX Alarm Security Solutions
5132 N 300 West
Provo, UT 84604-5817

Armstrong & Associates
P.O. Box 1787
Mobile, AL 36633-1787

AT&T Mobility
P.O. Box 772349
Ocala, FL 34477-2349

Betty Lou Conner
1808 51st Street
Columbus, GA 31904-6065

BRM
18002 Irvine Boulevard
Tustin, CA 92780-3301

Capital Management Services, LP
726 Exchange St, Ste. 700
Buffalo, NY 14210-1464

Capital One
P.O. Box 30285
Salt Lake City, UT 84130-0285

Capital One Auto Finance
3901 Dallas Parkway
Plano, TX 75093-7864

Capital One Auto Finance
P.O. Box 260848
Plano, TX 75026-0848

CAVALRY PORTFOLIO SERVICES
7 SKYLINE DR STE 350
HAWTHORNE NY 10532-2162

Cavalry Portfolio Services
7 Skyline Drive, Ste. 3
Hawthorne, NY 10532-2162

CCB Credit Services, Inc.
P.O. Box 272
Springfield, IL 62705-0272

Cessna Employee Credit
P.O. Box 7704
Wichita, KS 67277-7704

Charles T. Day, III
Attorney At Law
1790 Atkinson Road, Ste. F
Lawrenceville, GA 30043-7989

Client Services, Inc.
3451 Harry Truman Boulevard
St. Charles, MO 63301-9816

Colonial Finance Company
3227 Victory Drive
Columbus, GA 31903-1815

Constar Financial Services, LLC
P.O. Box 12020
Glendale, AZ 85318-2020

Credit Acceptance
P.O. Box 513
Southfield, MI 48037-0513

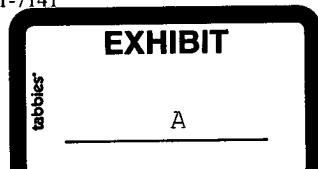
Credit Collection Services
Two Wells Avenue
Newton, MA 02459-3246

Credit Management, LP
4200 International Parkway
Carrollton, TX 75007-1912

Direct TV*
P.O. Box 6550
Greenwood Village, CO 80155-6550

East Alabama Endocrinology, P.C.
3320 Skyway Drive, Ste. 808
Opelika, AL 36801-7141

eCAST Settlement Corporation
POB 35480
Newark, NJ 07193-5480



Emergency Medical Specialists
Of Columbus, PC
P.O. Box 5638
Athens, GA 30604-5638

Encore Receivable Management Inc.
P.O. Box 3330
Olathe, KS 66063-3330

Endocrine Consultants
2425 Brookstone Centre Parkway
Columbus, GA 31904-4501

Fashion Bug/SOANB
P.O. Box 84073
Columbus, GA 31908-4073

Financial Asset Management
Systems, Inc.
P.O. Box 451409
Atlanta, GA 31145-9409

First Investors Financial Services
380 Interstate North SE, 3rd Floor
Atlanta, GA 30339-2222

Ford Motor Credit
P.O. Box 542000
Omaha, NE 68154-8000

Frederick J. Hanna & Associates
Attorneys At Law
1427 Roswell Road
Marietta, GA 30062-3668

GA ATTORNEY GENERAL
40 Capital Square SW
Atlanta, GA 30334

GEMB/Sams Club
P.O. Box 981400
El Paso, TX 79998-1400

GEORGIA DEPARTMENT OF REVENUE
Bankruptcy Unit
P.O. Box 161108
Atlanta, GA 30321

GMCS, Inc.
P.O. Box 5960
Athens, GA 30604-5960

Home Depot/Citibank
P.O. Box 6497
Sioux Falls, SD 57117-6497

HSBC Auto Finance*
P.O. Box 17904
San Diego, CA 92177-7904

HSBC Bank
P.O. Box 5253
Carol Stream, IL 60197-5253

Hughes Network Systems
P.O. Box 96874
Chicago, IL 60693-6874

INTERNAL REVENUE SERVICE
Insolvency Section
P.O. Box 7346
Philadelphia, PA 19101-7346

James B. Nutter & Company
4153 Broadway Street
Kansas City, MO 64111-2694

John Conner
1808 51st Street
Columbus, GA 31904-6065

Knology*
1241 O.G. Skinner Drive
West Point, GA 31833-1789

LabCorp
P.O. Box 2240
Burlington, NC 27216-2240

Life Line Ambulance
P.O. Box 8323
Columbus, GA 31908-8323

Mediacom
6700 Macon Road
Columbus, GA 31907-5735

Merchants Adjustment Service**
P.O. Box 7511
Mobile, AL 36670-0511

Metro Finance
Special Collection Unit
29870 Middlebelt Road
Farmington Hills, MI 48334-2316

Midland Credit Management
A/K/A Midland Funding, LLC
8875 Aero Drive, Suite 200
San Diego, CA 92123-2255

Muscogee Home Health
7200 Manor Road
Columbus, GA 31907-3146

National Asset Recovery Services, Inc.
P.O. Box 701
Chesterfield, MO 63006-0701

NCO Financial
P.O. Box 4941, Dept. 80
Trenton, NJ 08650-4941

North Shore Agency
4000 E Fifth Avenue
Columbus, OH 43219-1811

Nuvell Credit P.O. Box 380902 Bloomington, MN 55438-0902	Peak 5 6782 S Potomac Street Englewood, CO 80112-3915	Pinnacle Credit Services P.O. Box 640 Hopkins, MN 55343-0640
Premium Asset Recovery Corporation 350 Jim Moran Boulevard, Ste. 210 Deerfield Beach, FL 33442-1782	Publishers Clearing House P.O. Box 26301 Lehigh Valley, PA 18002-6301	Quick Loan 1240 Broadway Columbus, GA 31901-2431
Radiology Associates Of Columbus P.O. Box 2787 Columbus, GA 31902-2787	Receivable Management Group P.O. Box 6070 2901 University Avenue, Suite 29 Columbus, GA 31907-7601	Resurgent Capital Services P.O. Box 19006 Greenville, SC 29602-9006
Santander Consumer F/K/A Citifinancial Auto P.O. Box 562088, Ste. 900-N Dallas, TX 75356-2088	Southwestern Pathology Assoc. P.O. Box 767697 Roswell, GA 30076-7697	St. Frances Hospital, inc. c/o Michael P. Cielinski, P.C. P.O. Box 1882 Columbus, GA 31902-1882
St. Francis Affiliated Serv. Inc. 3744 Woodruff Road Columbus, GA 31904-5601	St. Francis Center for Surgical Care P.O. Box 15834 Wilmington, DE 19850-5834	St. Francis Hospital P.O. Box 84012 Columbus, GA 31908-4012
St. Francis Orthopaedic Institute P.O. Box 7217 Columbus, GA 31908-7217	Synergetic Communication, Inc. 1301 E Third Avenue, Ste. 200 Post Falls, ID 83854-7545	U. S. ATTORNEY GENERAL 950 Pennsylvania Avenue, NW Washington, DC 20530-0001
U. S. ATTORNEY'S OFFICE Attn: Barbara Parker P.O. Box 1702 Macon, GA 31202	U.S. Trustee - MAC 7 440 Martin Luther King Jr. Boulevard Suite 302 Macon, GA 31201-7987	United Healthcare P.O. Box 77023 Minneapolis, MN 55480-7723
United Recovery Systems, LP 5800 North Course Drive Houston, TX 77072-1613	Valerie G. Long Arey, Long and Cross 4800 Armour Road P.O. Box 8641 Columbus, GA 31908-8641	Vantage Sourcing P.O. Box 6786 Dothan, AL 36302-6786
Verizon Wireless Bankruptcy Administration P.O. Box 3397 Bloomington, IL 61702-3397	Web Bank/DFS A/K/A Dell Preferred Account 6440 South Wasatch Blvd., Ste. 300 Salt Lake City, UT 84121-3518	Wells Fargo Financial 800 Walnut Street Des Moines, IA 50309-3891
World Finance 419 Veterans Parkway Columbus, GA 31901		

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In re: : BANKRUPTCY CASE
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JOHN CONNER and : NO. 11-40458-JTL
BETTY LOU CONNER, : Chapter 7 Proceeding
Debtors. : :

**MOTION BY WALTER W. KELLEY, TRUSTEE, TO SELL REAL ESTATE AT PUBLIC
AUCTION OUTSIDE THE ORDINARY COURSE OF BUSINESS PURSUANT TO 11 U.S.C.
§363(b) AND 11 U.S.C. §363(f), SUBJECT TO ALL LIENS, ENCUMBRANCES,
MORTGAGES, SECURITY INTERESTS, CHARGES AND CLAIMS**

COMES NOW Walter W. Kelley, Trustee in the above-referenced case, and shows as follows:

-1-

The Debtors named above filed a voluntary Chapter 7 case on August 17, 2009. Walter W. Kelley ("Trustee") is the duly appointed and acting Trustee in this case.

-2-

This motion is brought under 11 U.S.C. §363 and Bankruptcy Rule 6004. This is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2)(A)(O).

-3-

The debtors own real estate in Muscogee County, Georgia described as 1808 51st Street, Columbus, Georgia. The real estate is or was the debtors' residence. According to the debtors' bankruptcy petition, the real estate has a value of \$80,000 and was subject to a security deed in favor of James B. Nutter & Company ("Nutter Company") which secured a mortgage debt of \$80,242. The Trustee filed adversary proceeding complaint 11-4027 to avoid Nutter Company's security deed. A default judgment was entered in the adversary proceeding on August 29, 2011 (as Document text no. 13) which avoided and canceled Nutter Company's security deed. The Trustee believes there is no other security deed or other lien claim against the real estate.

-4-

The Trustee believes that the debtors have vacated or intend to vacate the real estate.

-5-

The Trustee desires to sell the real estate described above to the highest bidder through Rowell Auctions, Inc. ("Rowell"). Rowell's fee is a 10% buyer's premium that will be added to the buyer's bid price plus reimbursement of out-of-pocket expense. Copies of Rowell's "*Auction Listing Contract With Exclusive Right to Sell*" describing its compensation is attached as Exhibit "A."

-6-

The Trustee believes it will be in the best interest of the Debtors' estate and creditors that this property is sold via auction.

-7-

All property sold will be sold subject to all valid and enforceable liens.

WHEREFORE, THE TRUSTEE PRAYS FOR AN ORDER:

- (a) Allowing the above-described auction sale subject to all liens.
- (b) Requiring the Debtors to cooperate with the Trustee and Rowell and their employees in connection with the sale, including, but not limited to all pre-sale preparation and activities, allowing the Trustee or Rowell full and complete access to the real estate and allowing the sale to be conducted on the Debtors' real estate.
- (c) Which permits the Trustee to compensate Rowell directly from the sale proceeds consistent with the order authorizing Rowell's employment.
- (d) That allows the Trustee discretion to reject any bid or offer that the Trustee believes is not in the best interests of the estate.
- (e) That grants such other and further relief as the Court deems just and proper.

Respectfully submitted,



/s/ Thomas D. Lovett
Thomas D. Lovett
Attorney for Walter W. Kelley, Trustee
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(229) 242-8838
State Bar No. 459571